

Notice of Allowability

Application No.

10/046,695

Applicant(s)

LAO ET AL.

Examiner

James A. Reagan

Art Unit

3621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Terminal Disclaimer received on 10 January 2006.
2. ☒ The allowed claim(s) is/are 1-21.
3. ☒ The drawings filed on 17 January 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Status of claims

1. This allowance is in reply to the Terminal Disclaimer received on 10 January 2006.
2. Claims 1, 2, 7, 9, and 16 have been amended.
3. Claims 1-21 are pending.
4. Claims 1-21 have been examined.

Terminal Disclaimer

5. The terminal disclaimer filed on 10 January 2006 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of 11/23/2014 has been reviewed and is accepted. The terminal disclaimer has been recorded.

Allowable Subject Matter

6. Claims 1-21 are allowed over the prior art of record.
7. The following is an examiner's statement of reason for allowance:

The closest prior art of record is U.S. Patent No. 5,260,999 to Robert M. Wyman. Wyman provides a method and system to manage a license policy for using a digital product based on licensed terms, conditions, and authorization. This system can be used to track and bill usage of digital products.

With regard to independent claims 1 and 16, the closest prior art of record when taken either individually or in combination with other prior art of record fails to teach or suggest:

- *a rights module operative to specify one or more rights indicating a manner of use of the digital content;*
- *a conditions module operative to specify one or more conditions necessary for exercising the manner of use of the digital content; and*
- *an offers module operative to combine the one or more rights specified by said rights module and the one or more conditions specified by said conditions module to create a rights offer object including the usage rights and the conditions necessary for exercising the manner of use of the digital content indicated by the usage rights.*

Dependent claims 2-15 and 17-21 are dependent upon claims 1 and 16 and thus have all the limitations of claims 1 and 31 and are allowable for that reason. Specifically, in the present invention of the Applicant, a user can determine the extent of usage rights, such as how many copies can be made, how long a song can be played, or how often a document may be edited, as opposed to the prior art of record, which simply allows a user to use a file or not use a file without disclosing the extent to which the file may be employed.

Any comments considered necessary by the applicant must be submitted no later than the payment of the issues fee and, to avoid processing delays, should preferably accompany the issue fee. Such submission should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

1. Rule Generation Device For Utilizing A Software Component by Mihoko Kishi and Koichi Kachi, 30 March 1990, discloses "...automatically formulating, by using formal language...restriction script texts."
2. Fabbio (US 5,335,346 A) discloses a system and method that provides an access control list which spans across object boundaries in an object-oriented database. In addition to providing read and write access permissions, the access control list provides execute semantics which apply to the execution of methods in an object oriented database. Within the entries of the access control lists, each of the permissions for read, write, and execute can be assigned separately to each of a number of ids representing user ids or group ids. Upon request for access to the data by the user, the user id of the user and the group ids for which the user is a member are searched for within the entries to determine whether the user has the privileges to perform the operation requested against the objects. In addition, the access control policies are inherited from an object's superobject; resulting in a least privilege for the object (abstract).
3. Hinsley et al. (US 5,295,266 A) discloses user roles a system has an associated user privilege set indicating the privileges granted to that role that may be selectively enabled or disabled by that role (column 2, lines 25-27).
4. Corbin (US 5,138,712 A) discloses a software application that provides verification and license check out functions that are normally performed by a license server of a network software license system. The encrypted license information is contained in a license token, and is sorted in the database controlled by the license server (abstract).
5. Weber (Digital Rights Management Technologies) discusses the general purpose and guiding framework with regard to DRM.

Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the Examiner should be directed to **James A. Reagan** whose telephone number is **571.272.6710**. The Examiner can normally be reached on Monday-Friday, 9:30am-5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, **James Trammell** can be reached at **571.272.6712**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at **866.217.9197** (toll-free).

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

571-273-8300 [Official communications, After Final communications labeled "Box AF"]

571-273-8300 [Informal/Draft communications, labeled "PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to the **United States Patent and Trademark Office Customer Service Window**:

Randolph Building

401 Dulany Street

Alexandria, VA 22314.

JAMES A. REAGAN

Primary Examiner

Art Unit 3621

17 January 2006

